

REMARKS

As background information, this Response is submitted in response to the Office Action of 11/22/2004.

By way of overview, claims 1—44 are currently pending. Of these pending
5 claims:

A) Claims 1—44 remain in original form.

B) No claims are currently amended.

35 U.S.C. §102

According to the MPEP §2131, a claim is anticipated only if each and every
10 element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim.

Anticipation is a legal term of art. The applicant notes that in order to provide a valid finding of anticipation, several conditions must be met: (i) the
15 reference must include every element of the claim within the four corners of the reference (see MPEP §2121); (ii) the elements must be set forth as they are recited in the claim (see MPEP §2131); (iii) the teachings of the reference cannot be modified (see MPEP §706.02, stating that "No question of obviousness is present" in conjunction with anticipation); and (iv) the reference must enable the invention
20 as recited in the claim (see MPEP §2121.01). Additionally, (v) these conditions must be simultaneously satisfied.

The §102 rejection of claims 1—3, 7—8, 23, 25, 26, 34—36, 40 and 42 is believed to be in error. Specifically, the PTO and Federal Circuit provide that §102 anticipation requires that each and every element of the claimed

invention be disclosed in a single prior art reference. *In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990). The corollary of this rule is that the absence from a cited §102 reference of any claimed element negates the anticipation. *Kloster Speedsteel AB, et al. v. Crucible, Inc., et al.*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986).

Applicant notes the requirements of MPEP §2131, which states that “to anticipate a claim, the reference must teach every element of the claim.” This MPEP section further states that “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ‘The identical invention must be shown in as complete detail as is contained in the ... claim.’ *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).”

Claims 1—3, 7—8, 23, 25, 26, 34—36, 40 and 42 were rejected under §102 as being anticipated by U.S. patent 6,268,799, hereinafter “Miyashita”. The Applicant respectfully traverses the rejection.

The Miyashita reference discloses a light-source lamp unit within two perspective views show at FIGS. 1(A) and 1(B). The lamp of FIG. 1 includes both the lamp unit 2 and the housing unit 4. The housing 4 includes a lamp info storing block 5 (best seen in FIG. 1(B)), and the diagrams of FIGS. 3(A) and 4(A).

Referring to FIG. 3(A), it can be seen that the lamp info storing block includes 4 jumpers B1—4 and a fuse F1. Referring to FIG. 4(A), the memory units, RAM, ROM and MEMORY 103, 102, 107 are separate from the lamp unit 105.

To describe the operation of the lamp of FIG. 1, Miyashita shows in FIG. 4(A) a diagram of a control system “in which the light-source lamp of FIG. 1 is mounted,” (see column 7, lines 18—21). Therefore, the lamp of FIG. 1 can be mounted in a removable manner to connect with the control system of FIG. 4A. This further emphasizes that the memory 102, 103 and 107 are separate from the lamp unit 105, and that the lamp does not contain a memory device.

Thus, it can be seen by referring to FIG. 4(A), that Miyashita teaches a lamp unit 105 that includes a light unit 1, having light source 2, a frame 4 (see FIG. 1(B)), and an info unit 5 having jumpers and a fuse. The lamp unit 5 is therefore detachably mounted into the device 100 (see column 10, line 34).

Note that FIG. 10A shows a variation on the info storage 5A, wherein the four jumpers are replaced by four “surfaces” that can either be reflective or non-reflective. FIG. 10B shows how a sensor 109 distinguishes between the reflective and non-reflective surfaces.

Summary of the Miyashita reference: Miyashita discloses a lamp unit 105 that can be attached to light-source device 100 (see FIG. 4(A)). The lamp unit 105 has no memory, but does have a lamp info storing block 5 (see FIG. 3(A)), which includes four jumpers (or surfaces) and one fuse. The lamp unit 105 communicates with a CPU 101 and memory 102, 103 and 107 in the light-source device 100. Thus, Miyashita discloses a lamp unit 105 having no memory that can be inserted into a device 100 having a CPU and memory.

Claim 1 recites, in part, “coupling a lamp containing a memory device onto the projector.”

The Patent Office suggests that the lamp unit 105 contains memory 103, 107 and that it anticipates “coupling a lamp containing a memory device onto the projector.” The Applicant respectfully disagrees.

The Applicant contends that the memory 103, 107 is not contained within the lamp unit, as recited in the claim. In fact, the lamp unit 105 is on the bottom (or left) of FIG. 4(A), while the memory is on the top (or right) of that figure. Thus, the Applicant contends that it is clear that the memory 103, 107 is not “contained within” the lamp, as recited.

Moreover, the lamp of Miyashita does not contain “a memory device,” as recited by the claims. Instead, Miyashita discloses that the lamp unit contains either the lamp info-storing block 5 having four jumpers (FIG. 3(A)) or the four reflective surfaces (FIG. 10(B)). The four jumpers (or surfaces) do not constitute a memory device according to any widely held understanding.

Therefore, the lamp of Miyashita does not contain a memory device, as recited by the Applicant’s claims. Accordingly, the Applicant respectfully requests that the section 102 rejection be withdrawn, and that claim 1 be allowed to issue.

Claim 1 additionally recites, in part, “displaying lamp retail sales information, included within the information, when lamp failure is anticipated to be near.”

The Miyashita reference does not disclose “retail sales information,” or any related marketing-type concept, within any information disclosed by that

reference. The Patent Office points to a warning signal sent by Miyashita; however, the Applicant's position is that a warning signal is not the same as "displaying lamp retail sales information," as recited in the claim. Accordingly, Miyashita does not disclose the elements recited, and the section 102 rejection
5 appears to be unfounded. Therefore, the Applicant respectfully requests that the section 102 rejection be withdrawn.

Claim 2 depends from claim 1 and is allowable by virtue of this dependence, as well as for reasons associated with the elements recited by the claim itself. Accordingly, the Applicant respectfully requests removal of the
10 rejection of this claim.

Claim 3 is related to using the memory in the lamp to contain information on the latest and greatest firmware version level available for the projector. The lamp is frequently much newer than the projector, and therefore the memory device within the lamp may include information about firmware for the projector
15 that is more recent than anything known to the projector. This is particularly true if the projector is not connected to the Internet, and therefore has no way of knowing if newer firmware revisions have been released. Accordingly, claim 3 is related to a means by which information about projector firmware availability may be communicated to the projector—through the lamp—and then on to the user of
20 the projector.

Claim 3 recites,

"obtaining current firmware revision level information from the projector;

"comparing the current firmware revision level information to firmware information contained within the memory device; and

“where the comparing reveals that a later firmware version is available, providing an operator of the projector with information concerning availability of the later firmware version.”

Accordingly, the Applicant recites a method by which information on the latest firmware available for the projector may be obtained from the lamp. Miyashita does not disclose any information on the firmware of the projector, nor obtaining such information from the lamp.

The Patent Office suggests that the lamp information, age, etc., is the same as information on the firmware revision level of the projector. The Applicant respectfully disagrees.

By using the memory device contained within the lamp, a manufacturer is able to provide information about available firmware revisions for the projector to the user of the projector with every new lamp the user installs. By comparing information from the lamp with information from the projector, the user is able to determine if an upgrade is needed. Miyashita discloses no structure and/or method by which the lamp may be used to provide projector firmware update information to the user. Accordingly, the Applicant respectfully requests that the section 102 rejection be removed, and that claim 3 be allowed to issue.

Claim 7 is allowable for substantially the same reasons claims 1 and 2 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 7 be removed, and that this claim be allowed to issue.

Claim 8 is allowable for substantially the same reasons claims 3 and 7 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 8 be removed, and that this claim be allowed to issue.

Claim 23 is allowable for substantially the same reasons claims 1 and 7 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 23 be removed, and that this claim be allowed to issue.

5 Claim 25 is allowable for substantially the same reasons claims 2 and 23 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 25 be removed, and that this claim be allowed to issue.

Claim 26 is allowable for substantially the same reasons claims 3 and 7 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 26 be removed, and that this claim be allowed to issue.

10 Claim 34 is allowable for substantially the same reasons claims 3 and 7 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 34 be removed, and that this claim be allowed to issue.

15 Claim 35 is allowable for substantially the same reasons claims 2 and 34 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 35 be removed, and that this claim be allowed to issue.

Claim 36 is allowable for substantially the same reasons claims 1 and 34 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 36 be removed, and that this claim be allowed to issue.

20 Claim 40 is allowable for substantially the same reasons claim 1 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 40 be removed, and that this claim be allowed to issue.

Claim 42 is allowable for substantially the same reasons claims 3 and 40 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 42 be removed, and that this claim be allowed to issue.

35 U.S.C. §103

Claims 4, 9, 27, 29, 30, 31, 37 and 43 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Miyashita.

Claim 4 is related to the idea that the projector may have been subject to a product recall, and the user of the projector might not know that. However, the lamp may have been manufactured after the recall. Accordingly, the memory device in the lamp could carry news of the recall of the projector to the user of the projector.

Claim 4 recites, in part,

“obtaining product ID information from the projector;

“comparing the product ID information to a recall list contained within the memory device; and

“where a recall is indicated, providing an operator of the projector with information concerning the recall.”

The Miyashita reference does not disclose obtaining product ID information from the projector, comparing that ID to a recall list obtained from the lamp, or notifying an operator about a recall.

The Patent Office suggests that because the CPU can retrieve information on the lamps from memory, that it would have been obvious to contain recall information about the lamps. The Applicant respectfully disagrees.

The Miyashita reference does not disclose anything about obtaining product ID from the projector or obtaining a recall list from the memory device in the lamp. Moreover, Miyashita does not disclose comparing information from the projector to information from the lamp, or of notifying the operator if the

comparison indicates a need to do so. Indeed, nothing in Miyashita discloses or even suggests that memory devices in lamps could be used to convey product recall information about projectors.

The rejection to claim 4 seems to have been formulated around the notion that the object and concern is that lamps might need to be recalled. However, the Applicant's claim is directed to using the lamps to convey information on a recall of the projector. Therefore, the rejection is misapplied in this case. Accordingly, the Applicant respectfully requests that the rejection of claim 4 be withdrawn, and that claim 4 be allowed to issue.

Claim 9 is allowable for substantially the same reasons claims 4 and 7 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 9 be removed, and that this claim be allowed to issue.

Claim 27 is allowable for substantially the same reasons claims 4 and 23 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 27 be removed, and that this claim be allowed to issue.

Claim 29 is allowable for substantially the same reasons claims 4 and 7 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 29 be removed, and that this claim be allowed to issue.

Claim 30 is allowable for substantially the same reasons claims 3 and 29 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 30 be removed, and that this claim be allowed to issue.

Claim 31 is allowable for substantially the same reasons claims 2 and 29 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 31 be removed, and that this claim be allowed to issue.

Claim 37 is allowable for substantially the same reasons claims 4 and 34 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 37 be removed, and that this claim be allowed to issue.

5 Claim 43 is allowable for substantially the same reasons claims 4 and 40 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 42 be removed, and that this claim be allowed to issue.

Claims 6, 11—15, 17-22, 28, 33, 39 and 44 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Miyashita in view of U.S. patent 6,362,573, hereinafter “Helbing.”

10 Helbing discloses generally the concept of measuring bulb age, comparing the age to a threshold and notifying a user as end-of-life approaches. However, Helbing does not disclose memory within a bulb. In fact, Helbing distinguishes between different bulbs by sensing heat and voltage, etc. (top of column 3) and not by a memory on the bulb. In particular, Helbing does not disclose use of a
15 memory within the bulb, and additionally does not disclose use of a memory in a bulb to provide a server address.

Claim 6 recites, in part, “communicating with a remote server at an address contained within the memory device.”

20 The Patent Office suggests that Helbing discloses network capabilities that could be used to obtain retail information on purchasing a bulb. However, the Patent Office does not even suggest that either reference, Miyashita or Helbing, discloses—or even suggests—putting the address of a server within a memory device contained within a bulb, as recited by the claim.

Therefore, neither reference discloses the structure and/or method by which a remote server may be accessed by use of an address contained within the memory device of a lamp. Accordingly, the references, even combined, fail to disclose the elements recited. Therefore, the Applicant respectfully requests that

5 the rejection of claim 6 be removed, and the claim be allowed to issue.

Claim 11 is allowable for substantially the same reasons claims 6 and 7 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 11 be removed, and that this claim be allowed to issue.

Claim 12 is allowable for substantially the same reasons claims 1, 7 and 11

10 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 12 be removed, and that this claim be allowed to issue.

Claim 13 is allowable for substantially the same reasons claim 12 is allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 13 be removed, and that this claim be allowed to issue.

15 Claim 14 is allowable for substantially the same reasons claims 3 and 12 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 14 be removed, and that this claim be allowed to issue.

Claim 15 is allowable for substantially the same reasons claims 4 and 12 are allowable. Accordingly, the Applicant respectfully requests that the rejection

20 of claim 15 be removed, and that this claim be allowed to issue.

Claim 17 is allowable for substantially the same reasons claims 2 and 12 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 17 be removed, and that this claim be allowed to issue.

Claim 18 is allowable for substantially the same reasons claims 12 and 13 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 18 be removed, and that this claim be allowed to issue.

5 Claim 19 is allowable for substantially the same reasons claims 2 and 18 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 19 be removed, and that this claim be allowed to issue.

Claim 20 is allowable for substantially the same reasons claims 6 and 18 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 20 be removed, and that this claim be allowed to issue.

10 Claim 21 is allowable for substantially the same reasons claims 3 and 18 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 21 be removed, and that this claim be allowed to issue.

15 Claim 22 is allowable for substantially the same reasons claims 4 and 18 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 22 be removed, and that this claim be allowed to issue.

Claim 28 is allowable for substantially the same reasons claims 6 and 23 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 28 be removed, and that this claim be allowed to issue.

20 Claim 33 is allowable for substantially the same reasons claims 6 and 29 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 33 be removed, and that this claim be allowed to issue.

Claim 39 is allowable for substantially the same reasons claims 6 and 34 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 39 be removed, and that this claim be allowed to issue.

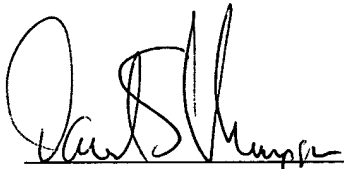
Claim 44 is allowable for substantially the same reasons claims 6 and 40 are allowable. Accordingly, the Applicant respectfully requests that the rejection of claim 42 be removed, and that this claim be allowed to issue.

Conclusion

The Applicant submits that all of the claims are in condition for allowance and respectfully requests issuance of a Notice of Allowability. If the Office's next anticipated action is not the issuance of a Notice of Allowability, the Applicant respectfully requests scheduling of an interview with the undersigned attorney.

Respectfully Submitted,

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